

REMARKS:

Claims 1-21 are pending in the application. Claims 1, 10, 20, and 21 (each of the independent claims) are amended. Applicant requests entry of the amendments after final and reconsideration and allowance in view of such amendments and the following remarks.

Rejections Under 35 U.S.C. § 102

Claims 1-9 and 20 (of which claims 1 and 20 are independent) are rejected under 35 U.S.C. § 102(b) as anticipated by Horvath, U.S. 3,643,968. According to the Examiner regarding the “substantially incompressible material” limitation, “this is the case [in Horvath] since the soft material is prevented from compressing by the hard material 30[.]” Applicant firmly refutes that assertion and therefore traverses the rejection. There is no disclosure whatsoever in Horvath of the material of the sidewalls 30 being hard, rigid, incompressible, etc., let alone disclosure of the material of the sidewalls 30 being hard enough to prevent compression of the soft material supported within the sidewalls 30. Notably, the Examiner points to nothing at all to support that assertion.

Nevertheless, despite that incorrect assertion, Applicant has amended the claims to recite “consisting of” instead of “comprising” a substantially incompressible material. (Support for such amendment may be found, for example, in the various figures of the application, which illustrate the sealing strip as being made from a single material.) Given the dual materials disclosed in Horvath, Horvath does not anticipate or suggest the claimed invention. Accordingly, Applicant requests that the rejection be withdrawn.

Claims 1, 2, 4-11, and 13-21 (of which claims 1, 10, 20, and 21 are independent) are rejected under 35 U.S.C. § 102(e) as anticipated by Hammi, U.S. 6,761,360. Applicant traverses and therefore requests withdrawal of the rejection.

The claims all specify that the sealing member is made from substantially incompressible material. Hammi, in contrast, discloses that the retainer gasket is made from elastomeric, compressible material. Thus, Hammi does not anticipate the claimed invention.

Furthermore, the claims are amended to clarify that the protrusions are configured to facilitate installation of the sealing strip, e.g., by means of the protrusions being compressed when they are pinched. Even if one were to interpret the ridges in Hammi as protrusions, they are not configured to facilitate insertion of the gasket. Therefore, Applicant requests reconsideration and withdrawal of the rejection.

Claims 1, 4-9, 10, 13-19, and 20 are rejected under 35 U.S.C. § 102(e) as anticipated by Sumitomo, JP 9112699. Applicant respectfully traverses the rejection. All of the claims specify that the sealing member is made from substantially incompressible material. As suggested by the necked-down configuration of the stem of the T-shaped protrusion when the protrusion is pulled, as clearly illustrated in the figure to which the Examiner cites, the Sumitomo sealing member is made from an elastomeric, compressible material. Accordingly, Sumitomo does not anticipate the claimed invention, and Applicant requests that the rejection be withdrawn.

Rejection Under 35 U.S.C. § 103

Alternatively, claims 1-21 are rejected under 35 U.S.C. § 103(a) based on Sumitomo in view of Nathan, U.S. 2,615,741. Applicant traverses the rejection. As noted above, all claims specify that the sealing member is made from substantially incompressible material, whereas the Sumitomo and Nathan sealing members are made from compressible material. Accordingly, even if the references were to have been combined as the Examiner has done – Applicant reasserts that the combination is clearly based on impermissible hindsight – the claimed invention would not have been obtained. Accordingly, Applicant requests that the rejection be withdrawn.

In view of the foregoing, Applicant submits that all claims are in condition for allowance, and timely Notice to that effect is respectfully requested.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application.

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 14-1437, referencing Attorney Docket No.: 6730.054.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner may directly contact the undersigned by phone to further the discussion.

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Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Tracy Druce", written in a cursive style.

Tracy W. Druce, Esq.
Reg. No. 35,493